

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and the following discussion, is respectfully requested.

Claims 1 and 3-13 are pending. By this amendment Claim 1 is amended to incorporate the features of Claim 2. Claim 2 is canceled, Claim 3 is amended and new Claims 8-13 are added. No new matter has been added. New Claims 8-13 correspond to original Claims 1-7 without means plus function language.

Applicants respectfully request the Examiner to initial and return the Form PTO-1449 filed March 8, 2004. A copy is provided here for the Examiner's convenience.

The Office Action rejects Claims 1 and 6 under 35 U.S.C. § 103(a) over USP 6,654,018 to Cosatto (Cosatto '018) in view of USP 6,885,761 to Kage and Claims 2, 3, 4, 5 and 7 under 35 U.S.C. § 103(a) over Cosatto '018, Kage and USP 5,995,119 to Cosatto et al. (Cosatto '119). These rejections are respectfully traversed.

Before considering the rejections under 35 U.S.C. § 103(a), it is believed that a brief review of the subject matter of independent Claim 1 would be helpful. Independent Claim 1 includes a face information transmission system including image acquisition means to acquire an image of the face of a subject, first generation means to generate first image information based on the acquired image, second generation means to generate second image information according to a facial expression of the face of the subject based on the generated first image information, transmission means to transmit generated second image information, utterance acquisition means and image judgment means to judge whether the first image information satisfies prescribed conditions. The image judgment means judges that the first information satisfies prescribed conditions and the second generation means generates second image information according to the facial expression of the face of the subject based at least on the first image information. When the image judgment means judges that the first image

information does not satisfy prescribed conditions, the second generation means generates second information according to the facial expression of the face of the subject based on utterances.

Independent Claim 8 includes a face information transmission system including an image acquisition mechanism, a first generation mechanism, a second generation mechanism, a transmission mechanism, utterance acquisition mechanism and an image judgment mechanism. The image judgment mechanism judges that the first image information satisfies prescribed conditions. The second generation mechanism generates a second image information according to the facial expressions of the face of the subject based at least on the first image information. When the image judgment mechanisms judges that the first image information does not satisfy prescribed conditions, the second generation mechanism generates second image information according to the facial expression of the face of the subject based on the utterances.

With respect to amended independent Claim 1, Cosatto '018 does not disclose or suggest when the image judgment means judges that the first image information does not satisfy prescribed conditions second generation means generates second image information according to the facial expression of the face of the subject based on the utterances. Instead, Cosatto '018 discloses a unit selection process that utilizes acoustic data to determine target costs for the candidate images and utilizes visual data to determine the concatenation costs. Thus, Cosatto '018 always uses both audio and visual cost functions. See, e.g., col. 2, lines 3-5.

With respect to new independent Claim 8, the Cosatto '018 does not disclose or suggest that when the image judgment mechanism judges that the first image information does not satisfy prescribed conditions, the second generation mechanism generates second

image information according to the facial expression of the face of the subject based on the utterances, as discussed above.

Kage and Cosatto '119 do not provide the deficiencies of Cosatto '018.

The dependent claims are also patentable for the reasons discussed above as well as for the individual features they recite. Withdrawal of the rejection of the dependent claims is respectfully requested.

For the foregoing reasons, it is respectfully submitted that this application is now in condition for allowance. A Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance. The Examiner is encouraged to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

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